

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-35 are pending in the present application, Claims 1-4, 6, 9, 10-12, 14, 17-20, and 22 having been amended, and Claims 31-35 having been added. Support for the amendments to Claims 1, 9, and 17 is found, for example, Figs. 12B and 20-A-H, and their corresponding descriptions in the specification, and the attached appendices. Claims 2-4, 6, 10-12, 14, 18-20, and 22 are amended to be consistent with the amended independent claims. Support for new Claims 31-35 is found, for example, in Fig. 12B (and its corresponding description in the specification), Figs. 18A-1 to 18C-3 (and their corresponding descriptions in the specification), Figs. 1A-1D, and page 59, lines 1-16 of the originally filed specification. Applicants respectfully submit that no new matter is added.

In the outstanding Office Action, Claims 2-4, 10-12, and 18-20 were rejected under 35 U.S.C. §112, second paragraph; Claims 1-3, 5-7, 9-11, 13-15, 17-19, 21-23, and 28-30 were rejected under 35 U.S.C. §102(b) as anticipated by Rada et al. (*Hypertext Interchange Using ICA*, June 1995, pages 99-117, hereinafter Rada); Claims 4, 8, 12, 16, 20, and 24 were rejected under 35 U.S.C. §103(a) as anticipated by Rada in view of Burnard (*SGML on the Web: Too Little Too Soon, or Too Much Too Late?*, Nov. 1, 1996, pages 1-9); and Claims 25-27 were rejected under 35 U.S.C. §103(a) as unpatentable over Rada in view of Burnard, and further in view of Linden (*Structured Document Transformations*, June 1997, pages NP-1, NP-48, NP-49, NP-50, and NP-53).

With respect to the rejection under 35 U.S.C. §112, second paragraph, Claims 2-4, 10-12, and 18-20 are amended to correct the informalities noted in the outstanding Office Action.

It is noted that MPEP §707.07(f) indicates that a proper Action is to take note of the points raised in traversing such a repeated rejection and answer the substance thereof. The outstanding Office Action does not address Applicants arguments regarding whether Linden in prior art.

Applicants respectfully traverse the position taken in the outstanding Office Action that Linden is prior art as of June 1997. Linden is an academic dissertation, which the Office **assumes** was publicly available in June 1997. There is no evidence that this dissertation was published or otherwise made publicly available in June 1997. The Office merely assumes that the June 1997 date on cover is the publication date. However, this is inconsistent with the copyright date of 2004, also on the face of the document. Furthermore, the date of retrieval of the document, located in the lower right corner, is 2/15/2007.

Applicants note MPEP §2128, which states **“Prior art disclosures on the Internet or on an online database are considered to be publicly available as of the date the item was publicly posted. Absent evidence of the date that the disclosure was publicly posted, if the publication itself does not include a publication date (or retrieval date), it cannot be relied upon as prior art under 35 U.S.C. 102(a) or (b).”**

The Office is respectfully requested to identify which section of 35 U.S.C. §102 Linden is believed to qualify as prior art under, and to produce evidence of the actual date that Linden was published or became publicly available. Absent this evidence, Applicants respectfully submit that Linden is not prior art and respectfully request that the outstanding rejections based on Linden be withdrawn.

With respect to the rejection of Claim 1 as anticipated by Rada, Applicants respectfully submit that the amendment to Claim 1 overcomes this ground of rejection. Amended Claim 1 recites, *inter alia*,

inputting, into a map editor with a graphical user interface, a first structural description of a first structured format;

inputting, into the map editor with the graphical user interface, a second structural description of a second structured format;

inputting, into the map editor by a user with the graphical user interface, preferences for transforming an element of the first structural description to at least one element of the second structural description;

Rada does not disclose or suggest the above-noted elements of Claim 1.

As previously argued, Rada does not disclose or suggest the claimed “editor.”¹ To more clearly describe and distinctly claim the subject matter regarded as the invention, Claim 1 is amended to describe that the editor is a map editor. Furthermore, Claim 1 is amended to indicate that the above-noted steps are performed with a graphical user interface.

Rada does not disclose or suggest performing the above-noted steps with a graphical user interface. The outstanding Office Action notes that page 100 of Rada states “MUCH has a split-window interface with a fold-unfold outline in one half of the window and the content of a node in the other.” However, this vague description of an interface does not disclose or suggest that the above-noted steps of Claim 1 are performed with the spit-window interface. There is no disclosure or suggestion in Rada that this split-window interface is used to input a first structural description of the first structured format, to input a second structural description of a second structured format, and to input preferences for transforming an element of the first structural description to at least one element of the second structural description.

It is well established that establishing anticipation requires the citation of a single prior art reference that discloses each and every element arranged together exactly as in the

¹ See response filed November 22, 2006.

claimed arrangement. See In re Bond, 15 USPQ2d 1566 (Fed. Cir. 1990); Lindemann Maschinen Fabrik GMBH v. American Hoist & Derrick Co., 221 USPQ 481 (Fed. Cir. 1984); Ex parte Gould, 6 USPQ2d 1680 (Bd. Pat. App. & Int. 1987); and Ex parte Osmond, 191 USPQ 334 (Bd. Pat. App. & Int. 1973)). Thus, there must always be something in the single reference being relied upon that directs the person skilled in the pertinent art to bring together parts from different disclosed reference embodiments if anticipation is to be found (i.e., there must be something in Rada that establishes a connection between the split-window interface on page 110 to the elements of Rada that the Office believes equate to the steps of Claim 1). See In re Arkley, 172 USPQ 524, 526 (CCPA 1972) (Thus, for the instant [35 U.S.C. §102] rejection . . . to have been proper, the . . . reference must clearly and unequivocally disclose the claimed [subject matter] or direct those skilled in the art to the [claimed subject matter] without any need for picking, choosing, and combining various disclosures not directly related to each other by the teachings of the cited reference.”).

The citations to Rada on page 5 of the outstanding Office Action do not disclose or suggest the use of a graphical user interface in connection with the portions of Rada that the Office believes equate to the steps of Claim 1.

Furthermore, Rada does not disclose or suggest that a graphical user interface plays any role in the translation process. Rather, Rada describes an ICA system that **automatically** generates a translator based on high-level specifications.²

Furthermore, Burnard does not cure the above-noted deficiencies in Rada.

In view of the above-noted distinctions, Applicants respectfully submit that Claim 1 (and Claims 2-16, 25, dependent thereon 28-35 dependent thereon) patentably distinguish over Rada and Burnard, taken alone or in proper combination.

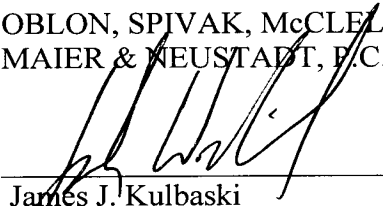
² Rada, page 100.

In addition, Claims 9 and 17 recite elements analogous to those of Claim 1. Thus, Applicants respectfully submit that Claims 9 and 17 (and Claims 10-16, 18-27, 29, and 30 dependent thereon) patentably distinguish over Rada and Burnard, taken alone or in proper combination.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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